

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Wu, J-P et al) Art Unit: 1624
U.S. Appln. No. : To Be Accorded) Examiner: Sudhaker B. PATEL
Confirmation No. : To Be Accorded
U.S. Filing Date : 09/25/2003
Title of Invention : Small Molecules Useful In the Treatment of Inflammatory Disease
Attny. Docket No.: 9/162-2-D1

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

September 25, 2003

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed herein and on the attached PTO-1449 form and which the Examiner may deem relevant to patentability of the claims of the above-identified application. Copies of the citations listed on the PTO-1449 form are filed in US Application No. 10/195,973, filed on July 16, 2002, Wu, J-P et al (Attorney Docket No. 9/162-1-C1) and US Application No. 09/604,312, filed on June 27, 2000, Wu, J-P et al (Attorney Docket No. 9/162).

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

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☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,



Philip I. Datlow
Attorney for Applicant(s)
Reg. No. 41,482

Patent Department
Boehringer Ingelheim Corp.
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Date: September 25, 2003

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Application Number	To Be Accorded
Filing Date	09/25/2003
First Named Inventor	Jiang-Ping WU
Art Unit	1624
Examiner Name	Sudhaker B. PATEL
Attorney Docket Number	9/162-2-D1

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 3,668,217	06/06/1972	Fujinami, et al	
		US- 4,944,791	07/31/1990	Schroeder, et al	
		US- 3,741,981	06/26/1973	Fujinami, et al	
		US- 5,334,606	08/02/1994	MacLeod	
		US- 5,750,553	05/12/1998	Claussner, et al	
		US- 5,464,856	11/07/1995	Cetenko, et al	
		US- 5,208,250	05/04/1993	Cetenko, et al	
		US- 5,306,822	04/26/1994	Cetenko, et al	
		US- 3,846,441	11/05/1974	Mine, et al	
		US- 4,911,748	03/27/1990	Prisbylla	
		US- 4,977,270	12/11/1990	Wee	
		US- 6,492,408	12/2002	Wu, et al	
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FOREIGN PATENT DOCUMENTS

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		EP 0 091 596 A1	10/19/1983	Celemerck		
		DE 19 58 183 A1	06/04/1970	Sumitomo		
		DE 19 40 032 A1	03/12/1970	Sumitomo		
		EP 0 545 478 A1	06/09/1993	Merck		
		WO 95 18794 A1	07/13/1995	Roussel		

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		Number-Kind Code ² (if known)			
		US-			
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		EP 0 343 643 A1	11/29/1989	Warner Lambert		
		DE 21 00 800 A1	07/15/1971	Sumitomo		
		JP 51-88631	08/03/1976	Sumitomo		
		WO 98 39303 A1	09/11/1998	BI Pharmaceuticals		
		WO 99 11258 A1	03/11/1999	Novartis		

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Application Number	To Be Accorded
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First Named Inventor	Jiang-Ping WU
Art Unit	1624
Examiner Name	Sudhaker B. PATEL
Attorney Docket Number	9/162-2-D1

U. S. PATENT DOCUMENTS

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		Number-Kind Code ² (if known)			
		US-			
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FOREIGN PATENT DOCUMENTS

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 99 49856 A2	10/07/1999	Genentech		
		JP 04,273,877	09/1992	Masumori, et al		
		WO 98 39303	09/1998	Kelly, et al		

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**INFORMATION DISCLOSURE
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Application Number

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Filing Date

09/25/2003

First Named Inventor

Jiang-Ping WU

Art Unit

1624

Examiner Name

Sudhaker B. PATEL

Attorney Docket Number

9/162-2-D1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		TAKAYAMA, et al; "Quantitative Structure-activity Relationships of Antifungal 1-(3,5-Dichlorophenyl)-2,5-pyrrolidinediones and 3-(3,5-Dichlorophenyl)-2,4-oxazolidinediones"; Agric. Biol. Chem. 1982, 46, 2755-8	
		LI, et al; "Examination of the Interrelationship Between Aliphatic Group Dipole moment and Polar Substituent Constants" J. Pharm. Sci. 1984; 73, 553-8	
		HALIM, et al; "3-[2-(3,5-Dimethylpyrazolyl)] Succinic Anhydride: Synthone for the Synthesis of Some Heterocycles with Potential Pharmaceutical Activity"; Monatshefte fuer Chemie, 1994, 125 1437-1442	
		Database CA on STN, Chemical Abstracts, (Columbus, OH, USA) No. 128:204801, HOLLINSHEAD, S. et al, "Combinatorial process for preparing substituted pyrrolidine libraries", Abstract WO 98 08813, March 1998	
		Database CA on STN, Chemical Abstracts, (Columbus, OH, USA) No. 124:145896, DREWES, M. et al, "Preparation of 4-(heterocyclo)-2-(sulfonamido) benzonitrile selective herbicides", abstract DE4414568, November 1995	
		MUSZA, L. L., et al, "Potent New Cell Adhesion Inhibitory Compounds from the Root of Trichilia rubra"; Tetrahedron, 1994, 50, 11369-11378	
		BOSCHELLI, D. H., et al; "3-Alkoxybenzo[b]thiophene-2-carboxamides as Inhibitors of Neutrophil-Endothelial Cell Adhesion"; J. Med. Chem, 1994., 37, 717	
		BOSCHELLI, D. H., et al; "Inhibition of E-Selectin-, ICAM-1-, and VCAM-1-Mediated Cell Adhesion by Benzo[b]thiophene-, Benzofuran-, Indole-, and Naphthalene-2-carboxamides: Identification of PD 144795 as an Antiinflammatory Agent"; J. Med. Chem. 1995, 38, 4597-4614	
		SANFILIPPO, P. J., et al; "Novel Thiazole Based Heterocycles as Inhibitors of LFA-1/ICAM-1 Mediated Cell Adhesion"; J. Med. Chem. 1995, 38, 1057-1059	

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